

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No. M-36639-2018

Date of Decision: 30.08.2018

Lucky Kumar

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Gurpal Singh Sandhu, Advocate for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

...

Inderjit Singh, J.

Petitioner Lucky Kumar has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.210 dated 31.12.2017, registered at Police Station City Malout, District Sri Muktsar Sahib, under Section 22 of the NDPS Act.

Notice of motion has been issued. Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

As per learned counsel for the petitioner as well as learned State counsel, only 10 injections of bupreonorphine and 10 injections of avil were recovered from the petitioner. The quantity of recovered intoxicants admittedly falls in non-commercial quantity as more than 20 gms of bupreonorphine falls in commercial quantity, but only 20 ml has been recovered.

The petitioner has been in custody since 31.12.2017. He is not

required for any investigation or interrogation purposes as he is in judicial

custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹40,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

30.08.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No